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6 UNITED STATES DISTRICT COURT  
7 CENTRAL DISTRICT OF CALIFORNIA  
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10 NORMAN HALSTEAD, ET AL.,  
11 Plaintiff(s),  
12 v.  
13 PACIFIC GAS AND ELECTRIC  
14 COMPANY, ET AL.,  
15 Defendant(s).

Case No. EDCV 16-696-DMG (KK)

**ORDER ACCEPTING FINDINGS  
AND RECOMMENDATION OF  
UNITED STATES MAGISTRATE  
JUDGE**

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17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the First and Third  
18 Amended Complaints, the relevant records on file, and the Report and  
19 Recommendation of the United States Magistrate Judge.

20 On June 28, 2018, Plaintiffs Norman Halstead and Aquilla Frederick filed  
21 Objections to the Report and Recommendation attaching various unauthenticated  
22 exhibits. Dkt. 189. On July 9, 2018, Plaintiffs Norman Halstead and Aquilla  
23 Frederick filed an Addendum to her Objections. Dkt. 194. On July 23, 2018,  
24 Defendant filed a Response to Plaintiffs Norman Halstead's and Aquilla  
25 Frederick's Objections. Dkt. 196.

26 The Court has engaged in de novo review of those portions of the Report to  
27 which Plaintiffs Norman Halstead and Aquilla Frederick have objected. The Court  
28 finds the exhibits attached to the Objections do not support their Opposition to


1 summary judgment because they are (a) either untimely or duplicative of the  
2 submissions in support of their Opposition to Defendant's Motion for Summary  
3 Judgment, (b) inadmissible lay opinion, and (c) fail to establish causation even if  
4 considered on the merits. Therefore, the Court accepts the findings and  
5 recommendation of the Magistrate Judge as to Plaintiffs Norman Halstead and  
6 Aquilla Frederick.

7 IT IS THEREFORE ORDERED that (1) Defendant's Motion for Summary  
8 Judgment is GRANTED; and (2) Judgment shall be entered DISMISSING the  
9 Third Amended Complaint with prejudice.

10 In addition, neither Gary Halstead nor a representative of his estate has filed  
11 objections. The Court accepts the finds and recommendation of the Magistrate  
12 Judge as to Plaintiff Gary Halstead.

13 IT IS THEREFORE ORDERED that Plaintiff Gary Halstead's claims are  
14 dismissed without prejudice for failure to prosecute and comply with court orders.

15 Dated: October 19, 2018

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17 HONORABLE DOLLY M. GEE  
18 United States District Judge  
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